

REMARKS

Claims 1-11 are pending in the present application.

Withdrawal, in view of applicant's submission of August 22, 2006, of the rejection of claims 1-11 under 35 U.S.C. § 103(a) as being unpatentable over Crisler et al. U.S. Patent No. 5,038,342 in view of Raith U.S. Patent No. 5,90,552 which was contained in the previous Office Actions, is hereby acknowledged.

35 U.S.C. § 103 (Non-obviousness)

The present Office action contains rejection of claims 1-11 under 35 U.S.C. § 103(a), as being anticipated by Grube et al. U.S. Patent No. 5,987,331 or alternately under 35 U.S.C. § 103(a), as being obvious over Grube et al. in view of Raith.

The applicant disagrees with the examiner's analysis of the applied references, in particular of the Grube et al. reference, and respectfully requests reconsideration thereof in view of the remarks below.

Claim 1 currently on file recites allocating a traffic channel emulating the radio interface of a first radiocommunications system by a base station of a second radiocommunications system, distinct from the first radiocommunications system, the radio interface of the first and second system being incompatible with each other. The other independent claims (8 and 10) recite similar elements, allowing for differences in claim drafting of means and system claims.

It is hereby respectfully submitted that, in particular, the allocation of a traffic channel emulating the radio interface of another radiocommunications system is not shown in the prior art references.

The disclosure in Grube et al. admittedly encompasses a method of establishing communication between a first wireless communication system user and a second wireless communication system user where the first communication system is of a first type and the second communication system is of a second type (col.2, lines 39-44).

More specifically, the solution according to Grube et al. is based on a gateway ward controller 114 (Figure 2) which provides the necessary translation needed to provide communications between two or more communication systems of more than one type

(col. 4, lines 19-22). But Grube et al. fails to disclose or suggest allocating in one of the systems a traffic channel emulating the radio interface of the other system.

The different passages of Grube et al. which are referred to in the Office action as anticipating the feature that a traffic channel of one system emulates the radio interface of the other system and which correspond to the description of Figures 1, 2 and 4, will not be quoted here, but actually they are silent about the use of the radio interface. In fact, this is because, according to the solution disclosed in Grube et al., each system uses its own radio interface only, and its traffic channels are unable to emulate the radio interface of any other system. Instead, interoperability between systems results from the payload information being interfaced by a switch 106 between the gateway ward controller 114, system 1, system 2 and system 3 (see col. 4, lines 32-36).

In other words, the solution according to Grube et al. is based on a centralized architecture, wherein system 1, system 2 and system 3 are operatively linked, at the highest level, through a gateway 114 (see col. 3, lines 14-18, Figure 1). Each system is unaware of the air interface protocol implemented by other systems.

In contrast, the solution according to the claimed invention makes provision of an emulation of the radio interface of one system on a traffic channel of a different system, i.e., a system having a different radio interface protocol.

It is respectfully submitted that, in the field of radiocommunications, the "highest level" in the various layers of communication sub-systems is definitely not the radio interface level. Indeed, radio interface protocol is part of the radio sub-system, whereas the "highest level" is necessarily part of the network sub-system which is higher than the radio sub-system.

The claimed method further comprises monitoring a mutual aid channel of one (the first) system.

In contrast, the examiner has not shown that Gruber et al discloses or even suggests the step of monitoring the mutual aid channel of one system by a base station of another system.

The mere reference in the Office action to the expression "receive call request over control channel" in Grube et al. as anticipating the claimed step of monitoring the mutual help

channel of the first system by a base station of the second system, different from said first system, is insufficient to establish anticipation of this step.

It is respectfully submitted that the deficiencies in Grube et al. are not removed by combining this reference with Raith nor with any other prior art of record.

With respect to the dependent claims 2-7, 9 and 11, as they refer to the claims 1, 8 and 10, much of the same argument applies. Therefore, these claims derive their patentability from the patentability of the claims to which they refer.

To the extent that it may be useful to more completely address all issues raised in the present Office action, the examiner is respectfully invited to refer to applicant's remarks on the teachings of the Raith reference as submitted in response to the previous Office actions.

In view of the foregoing, the Applicant respectfully requests that the rejection of claims 1-11 under 35 U.S.C. § 102 and under 35 U.S.C. § 103 be withdrawn.

Conclusion

It is believed that the present application is in condition for formal allowance. Accordingly, a Notice of Allowance is respectfully requested in due course. Should the examiner determine any minor informalities that need to be addressed, he is encouraged to contact the undersigned attorney at the telephone number below.

Respectfully submitted,

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By: 

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